IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TWENTY THIRD DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 12870 of 2004

Between:

1 Smt. Kethineedi Phani Kumar, W/o Jainendra Kumar,
Appanaveedu Gram Panchayath, Appanaveedu, Pedapadu

(M), W.G. District.
2 Nakka Pandu Ranga Rao, s/o Pullayya,
3 Ch. Venkateswara Rao, S/o Raghavayya,
4 K. Ram Mohana Rao, s/o Veerayya,
5 Ganta Venkateswararao, S/o Somayya,
6 Konakalla Venkateswararao, S/o Pentayya,
7 Neelam Sridhar, S/o Purushotham,
8 G. Jagadheeswara Rao, S/o Jagannadha Rao,
9 D. Satyanarayana, S/o Adinarayana,
(All are R/o Appanaveedu,, Pedapadu (M), West Godavari District.)

..... PETITIONERS

AND

1. The Chairman & Managing Director, A.P. Southern Power

Distribution Corporation Ltd, Thirupathi, Chitoor District.
2 The Superintending Engineer, A.P. Southern Power Distribution

CorporationLtd, Vijayawada, Krishna District.
3 Assistant Divisional Engineer, A.P. Southern Power Distribution

Corporation Ltd, Hanuman Junction, Krishna District.
4 The Superintending Engineer, A.P. E.P.D.C.L, Eluru, W.G.

District.
5 The Assistant Engineer, A.P. E.P.D.C.L, Pedapadu, W.G.

District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ of Mandamus or any other appropriate order or direction declaring the action of the Respondents in converting the power supply from III Phase to II Phase to Appanaveedu and Epuru villages in Pedapadu Mandal, West Godavari District duly deleting and separating Appanaveedu from Bapulapadu Mandal as illegal, arbitrary violative of principles of natural justice and also violative of Act. 14, 19 and 21 of the Constitution of India and pass such other order or orders.

Counsel for the Petitioner: MR.K.CHIDAMBARAM

Counsel for the Respondent No.: MRS.M.VINOBHA DEVI (SC FOR APTRANSCO)

The Court made the following at the stage of admission:

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ORAL ORDER :

This writ petition is filed seeking a declaration that the action of the respondents in converting the power supply from III phase to II phase to Appanaveedu and Epuru Villages in Pedapadu Mandal, West Godavari District duly deleting and separating Appanaveedu from Bapulaapadu Mandal, is illegal and arbitrary.

A perusal of the affidavit filed in support of the writ petition shows that the petitioners are seeking the declaration only on an apprehension that the proposed conversion would result in closing down of rice milling industries situated in Appanaveedu due to lack of sufficient and proper power supply. Except the said apprehension, there is no allegation of violation of any statutory provision, arbitrary exercise of power, much less any allegation of mala fides is made. That apart, the alleged conversion of power supply is purely a policy decision, that has been taken by the respondents having regard to the need in the locality. With such a decision, this Court will not interfere in exercise of writ jurisdiction under Article 226 of the Constitution of India.

Accordingly, the Writ Petition is dismissed. No costs. However, this shall not preclude the petitioners to make a representation before the respondents seeking redressal of their grievances if any.

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23rd July, 2004.

Tsnr

To

1. The Chairman & Managing Director, A.P. Southern Power

Distribution Corporation Ltd, Thirupathi, Chitoor District.

2. The Superintending Engineer, A.P. Southern Power

Distribution Corporation Ltd, Vijayawada, Krishna District.

3. Assistant Divisional Engineer, A.P. Southern Power Distribution

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